



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

August 16, 2005

Mr. Gregory V. Moore, P.E.
Becker Morgan Group, Inc.
309 S. Governors Avenue
Dover, DE 19901

RE: PLUS Review 2005-07-18, Bayhealth Medical Center Kent Campus Phase 2

Dear Mr. Moore,

Thank you for meeting with State agency planners on July 27, 2005 to discuss the proposed plans for the Bayhealth Medical Center project to be located on South State Street in the City of Dover. According to the information received, you are seeking to develop the second phase of the Kent Campus expansion

Please note that changes to the plan, other than those suggested in this letter, could result in additional comments from the State. Additionally, these comments reflect only issues that are the responsibility of the agencies represented at the meeting. The developers will also need to comply with any Federal, State and local regulations regarding this property. We also note that as the City of Dover is the governing authority over this land, the developers will need to comply with any and all regulations/restrictions set forth by the City.

Office of State Planning Coordination – Contact David Edgell 739-3090

This project is located in Investment Level 1 according to the *Strategies for State Policies and Spending*. This site is also located in the City of Dover. Investment Level 1 reflects areas that are already developed in an urban or suburban fashion, where infrastructure is existing or readily available, and where future redevelopment or infill projects are expected and encouraged by State policy. This project is a critical community facility which provides health care services for the entire region. **Our office supports redevelopment and keeping critical community facilities in centrally located urban areas such as Dover. This is essential to the Livable Delaware strategy of concentrating growth in and around existing communities and infrastructure.** This is the type of project that is highly desirable to allow us to meet our goals of revitalizing

our already urbanized areas while protecting agricultural lands and natural resource areas from encroachment by sprawling suburban and rural development. Our office has no objections to the proposed master facility plan for this campus in accordance with the relevant City codes and ordinances.

Division of Historic and Cultural Affairs – Contact Alice Guerrant 739-5685

There is nothing known within the project area. It is adjacent to and across from the Dover Green Historic District (K-394), which is listed in the National Register of Historic Places. It is across State Street from Greenwold, the Manlove Hayes House (K-126), which is also listed in the National Register. The proposed additions will not have an adverse visual effect on these properties. There is some moderate potential for historic-period archaeology on the northern block, on Governors Avenue, south of Meeting House Branch, which was buried in the early 1930s, and on State Street south of the branch. DHCA would appreciate having an opportunity to look at the area in which the central services building will be constructed when the paving is removed.

Department of Transportation – Contact Bill Brockenbrough 760-2109

Bayhealth Medical Center (Bayhealth) is proposing a second phase in the expansion of its Kent Campus (Tax Parcels 2-05-07713-01-18.00, 18.01, 22.00, 23.00, 45.00, 46.00, 47.00, 53.00, 54.00, and 55.00) in downtown Dover. The approximate boundaries of the campus are South State Street, Hope Street, South Governors Avenue, and Water Street.

- 1) The response to item 36 on the PLUS form indicates that the project will generate additional traffic but it does not indicate how much additional traffic. Preliminarily, we believe that a traffic impact study (TIS) will be necessary to make sure that the roads in the immediate area of the hospital will remain adequate to serve it. TIS generally take about one year to be completed and reviewed. To help keep the project on schedule, Bayhealth can have their traffic engineer contact Mr. Todd Sammons to schedule a scoping meeting for that study. Mr. Sammons can be reached at (302)760-2134.

Recognizing that the hospital expansion serves a public purpose, and that the locations of the proposed buildings would not be affected by any likely findings from the TIS, DelDOT recommend that the City allow plans for the proposed campus to proceed without waiting for the TIS results. If the TIS findings indicate a need for changes to the proposed site access, a revised plan can always be filed to effect those changes.

- 2) While the TIS results are not complete, DelDOT expects a future need for a signal at the intersection of South Governors Avenue and South Street. Bayhealth should expect to be asked to enter a signal agreement, whereby they would fund the installation of a signal at that location when DelDOT determines that one is warranted. DelDOT also anticipates asking that Bayhealth improve South Street,

- between South Governors Avenue and South State Street and recommending that it be transferred from City maintenance to State maintenance.
- 3) DelDOT has a project (Contract No. 20-045-02) to improve South Governors Avenue from Webb's Lane to Water Street. While the advertisement date for this project has been postponed, the design is largely complete. The developer's site engineer should contact Mr. Jim Satterfield, manager for this project, and make sure that the plans for the Bayhealth campus fit with it. Mr. Satterfield may be reached at (302)760-2332.
 - 4) As shown on the plan accompanying the PLUS materials, there is a drainage course that is piped through the north half of the campus and passes under an existing and proposed parking lot there. DelDOT recommends that it be rerouted around the edge of the site. While the present plans for the site would not require its movement, relocating it now would make maintenance easier and would clear the parking lot for future redevelopment, should that become necessary.
 - 5) The plan accompanying the PLUS materials shows several changes in access on both South State Street and South Governors Avenue. It also shows improvements at the intersections of those streets with South Street. Apart from the TIS process, the access changes and intersection improvements just mentioned will require plans and permits. The developer's site engineer should contact the Subdivision Manager for Dover, Mr. Richard Woodhall, regarding specific requirements. Mr. Woodhall may be reached at (302) 760-2262. Regarding access:
 - a) The ambulance parking area and the adjoining non-ambulance parking lot should be reexamined with regard to traffic operations. Briefly, there are four deficiencies, each of which could lead to several problems:
 - i) The entrances are quite close together.
 - ii) The ambulance parking requires the drivers to back either into or out of the parking spaces.
 - iii) Ambulances must enter and exit at the same location.
 - iv) Non-ambulance vehicles entering the ambulance parking lot must execute a three-point turn and re-enter South Governors Avenue to find parking.
 - b) The entrance to the Oncology parking lot on South State Street does not provide enough storage for entering vehicles. As a result, movements within the lot could cause traffic to back up on South State Street. Also, the cluster of five parking spaces on the aisle connecting the Oncology parking to Hope Street are positioned such that vehicles entering and exiting those spaces would block traffic on the aisle where they would be located.
 - c) Traffic operations in the area of the parking garage entrance should be examined more closely, perhaps using a simulation model. It may be

necessary to move that entrance or modify the proposed traffic flow in the area where it is proposed to avoid congestion on South State Street.

- d) The existing parking lot entrance on South Governors Avenue is too close to Water Street. It should be closed and not reopened.
 - e) Presently, there are several small parking lots along the south side of Water Street between South Governors Avenue and South State Street. DelDOT recommends that Bayhealth enter discussions with the property owners in that block regarding the consolidation of driveways and the connecting or sharing of parking lots, such that the hospital parking lot could be accessed from Water Street without creating additional access points.
- 6) The site has ample access to transit. DART First State transit routes 104 (Camden-Mifflin Meadows), 105 (South State Street-Moores Lake Shopping Center), and 303 (Dover-Milford-Georgetown) all pass by the site and other routes are accessible at the Water Street Transfer Center, one block away. The developer's site engineer should contact Mr. Wayne Henderson, Service Development Planner for the Delaware Transit Corporation to determine how best to provide transit to the hospital. Mr. Henderson may be reached at (302)577-3278, extension 3553.

Currently, improvements to the bus stops on South Governors Avenue are included in the DelDOT contract discussed above. If changes to the contract are necessary in this regard, Mr. Satterfield should be contacted as well.

The Department of Natural Resources and Environmental Control
Contact Kevin Coyle 739-9071

Impervious Cover

Since commercial construction projects often generate large amounts of impervious cover - often leading to large volumes of contaminant-laden runoff which ultimately drain into streams or waterways - the applicant is strongly urged to pursue both natural and constructed Best Management Practices (BMPs) to reduce such impacts. Reducing the amount of impervious surfaces by planting more trees and/or the use of pervious paving surfaces ("pavers") in lieu of asphalt or concrete, are examples of ways to reduce such impacts. Research has consistently shown that once a watershed exceeds a threshold of 10 percent imperviousness, water and habitat quality irreversibly decline.

TMDLs

A Total Maximum Daily Load (TMDL) is the maximum level of pollution for which a water quality limited water body can assimilate without compromising use and recreational goals such as swimming, fishing, drinking water, and shell fish harvesting. Although TMDLs as a "pollution runoff mitigation strategy" to reduce nutrient loading

have not yet been developed for the St. Jones subwatershed to date, work is continuing on their development and they should be completed by December 2006. Therefore, until the specified TMDL reductions and pollution control strategies are adopted, it shall be incumbent upon the developer to employ best available technologies (BATs) and/or best management practices (BMPs) as “methodological mitigative strategies” to reduce degradative impacts associated with development.

Water Resource Protection Areas

The DNREC Water Supply Section has determined that the northern part of the expansion falls within an area of excellent groundwater recharge. This part of the expansion is mostly on the north side of South Street between South State Street and Governor's Avenue. Some excellent recharge area is on the south side of South Street.

Attached maps: Bayhealth Medical Center Kent Campus Phase II (PLUS 2005-07-18) with excellent recharge in green and affected parcels outlined in light blue.

According to the State law that created the Source Water Protection Program, county and municipal governments with more than 2,000 residents will be required to enact ordinances to protect Water Resource Protection Areas. Municipalities with fewer than 2,000 residents are encouraged to enact such ordinances. The following language has been excerpted from the Source Water Protection Guidance Manual for Local Governments, Supplement 1 - Ground-Water Recharge Design Methodology. While the local ordinances may not yet be in place, the developer may find the language useful in modifying the site plan to protect water resources. Water Resource Protection Areas (WRPAs) are defined as (1) surface water areas such as floodplains, limestone aquifers, and reservoir watersheds, (2) wellhead areas, or (3) excellent recharge areas. The purpose of an impervious cover threshold is to minimize loss of recharge and protect the quality and quantity of ground and surface water supplies in WRPAs.

New development in WRPAs may exceed the 20 % impervious cover threshold, but be no more than 50 % impervious, provided the applicant submits an environmental assessment report recommending a climatic water budget and facilities to augment recharge. The environmental assessment must document that post-development recharge will be no less than predevelopment recharge when computed on an annual basis.

Commonly, the applicant offsets the loss of recharge due to impervious cover by constructing recharge basins that convey relatively pure rooftop runoff for infiltration to ground water. The Department recommends the following (ranked in order of preference):

- 1) Preserve WRPAs as open space and parks by acquisition or conservation easement.
- 2) Limit impervious cover of new development to 20 % by right within WRPAs.

- 3) Allow impervious cover of new development to exceed 20% within WRPA's (but no more than 50% impervious) provided the applicant develops recharge facilities that directly infiltrate rooftop runoff.
- 4) Allow impervious cover of new development to exceed 20% within WRPA's (but no more than 50% impervious) provided the applicant develops recharge facilities that infiltrate stormwater runoff from forested and/or grassed surfaces with pretreatment.

For more information, refer to:

Source Water Protection Guidance Manual for the Local Governments of Delaware at <http://www.wr.udel.edu/swaphome/phase2/SWPguidancemanual.html> and
Ground-Water Recharge Design Methodology at http://www.wr.udel.edu/swaphome/phase2/Publications/swapp_manual_final/swapp_guidance_manual_supp_1_2005_05_02.pdf

Water Supply

The applicant has indicated that the project will be provided public water service by the City of Dover. The City of Dover currently holds a certificate of public convenience and necessity number 90-CPCN-07 to provide public water service to the area.

Should dewatering points be needed during any phase of construction, a dewatering well construction permit must be obtained from the Water Supply Section prior to construction of the well points. In addition, a water allocation permit will be needed if the pumping rate will exceed 50,000 gallons per day at any time during operation. All well permit applications must be prepared and signed by licensed water well contractors, and only licensed well drillers may construct the wells. Please factor in the necessary time for processing the well permit applications into the construction schedule. Dewatering well permit applications typically take approximately four weeks to process, which allows the necessary time for technical review and advertising.

Potential Contamination Sources do exist in the area, and any well permit applications will undergo a detailed review that may increase turnaround time and may require site specific conditions/recommendations. In this case, there is: Capitol Cleaners, Kent General Hospital, Dover Gas Light, Capitol Uniform & Linen Services within 1000 foot radius to name a few. Contact Rick Rios at (302)739-9944.

Sediment and Erosion Control/Stormwater Management

A detailed sediment and stormwater plan will be required prior to any land disturbing activity taking place on the site. The plan review and approval as well as construction inspection will be coordinated through Kent Conservation District. Contact Jared Adkins

at (302)741-2600, ext. 3, for details regarding submittal requirements and fees. As of April 11, 2005, stormwater best management practices must also consider water quality as well as quantity in impaired water bodies.

Drainage

This project is located adjacent to an area with known drainage problems. The vicinity of Water Street and Governors Avenue has a history of drainage problems. The Drainage Program requests that all precautions be taken to ensure the project does not hinder any off site drainage upstream of the project or create any off site drainage problems downstream by the release of on site storm water. The proposed project is located partially within an area mapped as a groundwater recharge area. The Drainage Program requests the developer to discuss infiltration as one of the methods of managing stormwater on this site with Jared Adkins of the Kent Conservation District. The Drainage Program encourages stormwater infiltration within groundwater recharge areas when possible.

Site Investigation and Restoration

There are eleven (11) SIRB sites located within a half mile radius of the proposed site. The former Dover Ice Plant (DE-1110) is located north of the proposed site. A Phase I Assessment was completed in March 1998. The site was industrially/commercially utilized for 50 years with chemical and waste handling practices unknown. In a Remedial Investigation conducted in 1998, volatile organic compounds (VOCs) and traces of semi-volatile organic compounds (SVOCs) below the Uniform Risk-based Standard (URS) were discovered. Contaminated soil was excavated and removed. DNREC recommended no further action.

The other Ten (10) sites are listed below. These sites are interrelated. The investigations of these sites revealed soil and ground water contamination. Contaminants such as PAH, TCE, and PCBs were found in soil and ground water samples. Arsenic was also found in soil samples of some sites. Ground water use has been restricted and interim actions that impacted subsurface soils have been implemented. Again, DNREC does not foresee any negative impact provided there is a deed restriction on ground water use.

- Dover Westside A (DE-1212)
- Dover Westside B (DE-1213)
- Donoho's Paint Mfg (DE-1312)
- Dover Gas Light (DE-0057)
- Morris Work Release (DE-1143)
- Scull Property (DE-0153)
- Dover Archives (DE-1133)
- Capitol Cleaners (DE-1018)
- Dover Machine Works
- New Street

Underground Storage Tanks

There are six inactive LUST site(s) located near the proposed project listed below. No environmental impact is expected from the above inactive/active LUST site(s). However, should any underground storage tank or petroleum contaminated soil be discovered during construction, the Tank Management Branch must be notified as soon as possible. It is not anticipated that any construction specifications would be need to be changed due to petroleum contamination. However, should any unanticipated contamination be encountered and PVC pipe is being utilized, it will need to be changed to ductile steel in the contaminated areas.

The Cutting Corner, Facility # 1-000690, Project # K0107064

The Box Outlet, Facility # 1-000555, Project # K9607123

Chesapeake Utilities, Facility # 1-000251, Project # K8905233

George & Lynch, Facility # 1-000087, Project # K9402048

Holy Cross Church, Facility # 1-000545, Project #K9502046

Holden Dodge, Facility # 1-000439, Project # K0011137

Department of Agriculture - Contact Milton Melendez 698-4500

The Delaware Department of Agriculture has no objections to the Bayhealth Medical Center application. The site is located within a designated controlled development area and is supportive of the *Strategies for State Policies and Spending* which encourages responsible development Level 1 areas; the Department of Agriculture supports growth in these areas.

Improved Landscape Design

The Delaware Department of Agriculture encourages the developer to use the “Right Tree for the Right Place” for any design considerations. This concept allows for the proper placement of trees to increase property values in upwards of 25% of appraised value and will reduce heating and cooling costs on average by 20 to 35 dollars per month. In addition, a landscape design that encompasses this approach will avoid future maintenance cost to the property owner and ensure a lasting forest resource.

Native Landscapes

The Delaware Department of Agriculture encourages the developer to use native trees and shrubs to buffer the property from the adjacent land-use activities near this site. A properly designed forested buffer can create wildlife habitat corridors and improve air quality to the area by removing six to eight tons of carbon dioxide annually and will clean rivers and creeks of storm-water run-off pollutants. To learn more about acceptable native trees and how to avoid plants considered invasive to local landscapes, contact the Delaware Department of Agriculture Plant Industry Section at (302)698-4500.

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Public Service Commission - Contact Andrea Maucher 739-4247

If the project connects to public wastewater services from the City, and the project lies outside of the service territory established in October 2004, then the City must update the information it filed with the Commission. Any expansion of natural gas or installation of a closed propane system must fall within Pipeline Safety guidelines.

Following receipt of this letter and upon filing of an application with the local jurisdiction, the applicant shall provide to the local jurisdiction and the Office of State Planning Coordination a written response to comments received as a result of the pre-application process, noting whether comments were incorporated into the project design or not and the reason therefore.

Thank you for the opportunity to review this project. If you have any questions, please contact me at (302)739-3090.

Sincerely,

A handwritten signature in dark ink, appearing to read "Constance C. Holland". The signature is fluid and cursive, with the first name "Constance" being more prominent.

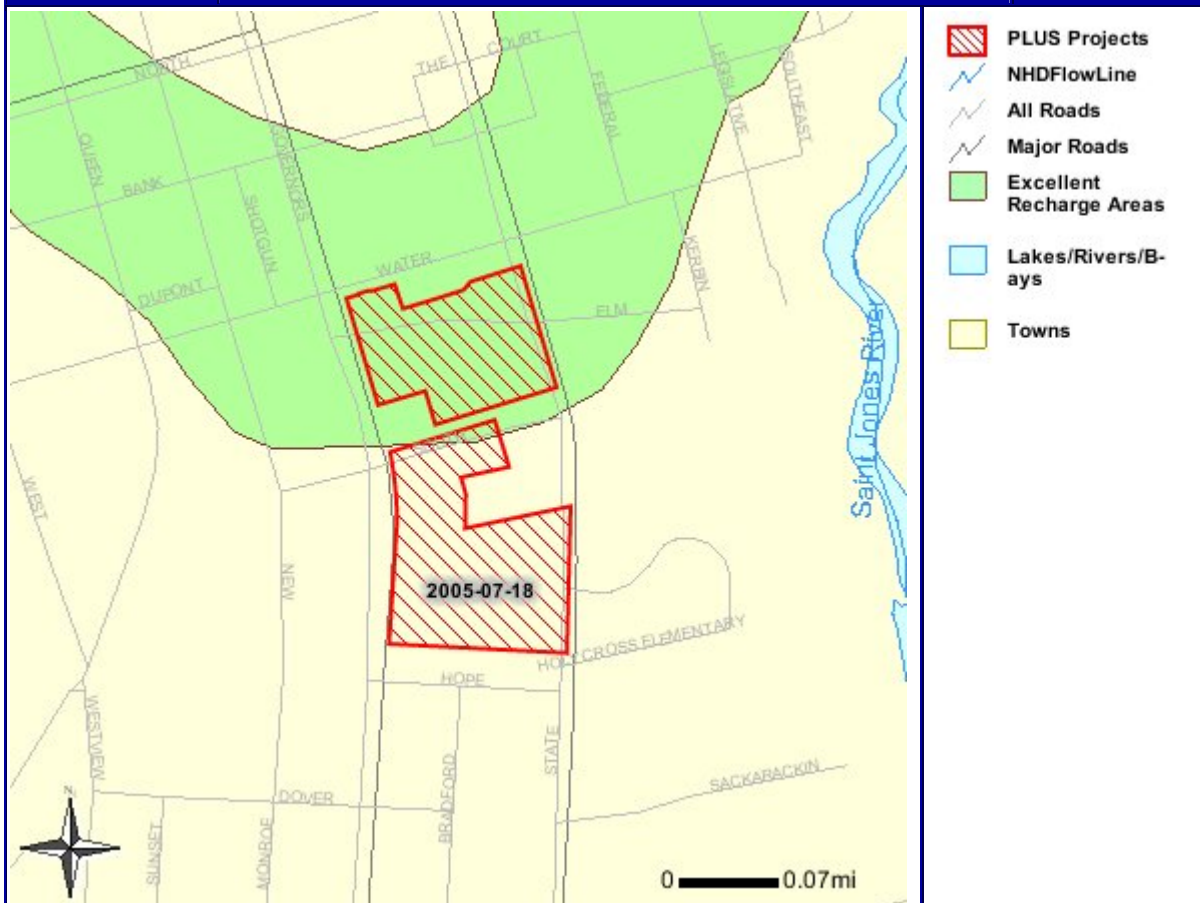
Constance C. Holland, AICP
Director

CC: City of Dover



Bayhealth Medical Center Kent Campus - Phase 2

2005-07-18



This map was produced by the Delaware
Department of Natural Resources and Environmental Control.

